

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431 (MJD/SRN)

ORDER

This Document Relates to:

Betty Asher, et al. v. Bayer Corp.
(Plaintiff Charles Waxman only)

Case No. 05-2578

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on the Report and Recommendation and all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Charles Waxman (Doc. No. 21) is **GRANTED**; and
2. Plaintiff Charles Waxman's claims are **DISMISSED WITH PREJUDICE**.

Dated: October 15, 2007

s / Michael J. Davis
MICHAEL J. DAVIS
United States District Court Judge